

REMARKS/ARGUMENTS

Applicant has added new claims 5 and 6. Claim 5 is the same as claim 2 in independent form with the exception that "tensioning plate" is replaced by "tensioning mechanism". This is supported in the specification at page 4, lines 10-11, where it indicates, "Other tensioning mechanisms can be employed such as spring steel flexed against roll 14."

Claim 6 specifies that the tensioner is a plate spring biased against the seam tape roll.

Applicant would also request reconsideration of the rejection of claims 1, 3 and 4 under 35 U.S.C. § 103. These were rejected based on the disclosure in the Brown et al. ("Brown") reference in combination with the disclosure in the Romes reference. The Brown reference does disclose a device for applying seam tape to a membrane roof. It specifically deals with proper application of pressure upon the seam tape and against the membrane to prevent puckering of the seam tape as it is applied. To do this, the reference discloses controlling the speed of the forward roller relative to the rear roller. The device uses a pulley system that provides for controlled release of the membrane. As indicated at column 3, lines 1-6:

A large pulley 44 is keyed to the let-off spindle 40 and a small pulley 46, preferably about one-fourth the diameter of the large pulley 44, is keyed to the take-up spindle 42. The pulleys 44 and 46 are connected to each other by an endless rubber O-ring belt 47 (FIG. 1).

The let-off spindle 40 supports the roll of seam tape as disclosed in the Brown reference. Thus, the Brown reference discloses multiple pulleys with an endless O-ring belt to control the movement of the tape. This is done, in effect, to prevent puckering.

Applicants' device uses a spring biased plate or tensioning mechanism pressed against the roll of tape. They, in effect, are controlling, in part, the puckering by a simple tensioner. Applicants' invention is, in effect, much simpler than the device disclosed in the Brown reference. It eliminates the pulley system and the O-ring belt disclosed in Brown. Because this pulley system is the heart of the invention disclosed in Brown, it would be unobvious for one of ordinary skill in the art to modify the disclosure in this reference in the manner suggested in the rejection. In effect, one would use the tensioning plate disclosed in applicants' invention, or one would use the multiple pulley belt system disclosed in the Brown reference. One would not use both. Again, because such a combination would totally eliminate the main inventive feature disclosed in Brown, such modification should be considered unobvious to one of ordinary skill in the art.

Further, although the Romes reference does disclose a brake for a roll of material, it certainly is not concerned with the problems associated with applying a seam tape to a membrane roof and applying good adhesion. The Romes reference is simply laying out a piece of material over a frame roof support.


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In light of the above, it is applicants' position that claims 1, 3 and 4 are not obvious in light of the disclosures of the Brown et al. reference and Romes reference and, accordingly, would request allowance of the pending claims.

Respectfully submitted,

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